

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA,       )  
  )  
v.    )       CASE NO. CR-2:06cr123-MHT  
  )  
FRANCISCO ULLOA-JIMINEZ        )

**ORDER ON MOTION**

On 7 June 2006, the Defendant, Ulloa-Jiminez, filed a Motion to Sever (Doc. #96). This court entered an order directing the defendant to show cause as to why this motion should not be denied as moot. The defendant filed a response (Doc. #118) on 10 July 2006. Thereafter, the defendant filed a notice of intent to change plea which the court set on the docket for 31 July 2006. The plea agreement has been entered in the court record and this case is set for sentencing on 12 October 2006 before the district judge assigned to this case. Therefore, it is

ORDERED that the Motion to Sever Defendant for Separate Trial (Doc. #96) is DENIED as moot.

The Clerk is directed to terminate this motion.

DONE this 26th day of September, 2006.

/s/ Vanzetta Penn McPherson  
VANZETTA PENN MCPHERSON  
UNITED STATES MAGISTRATE JUDGE